

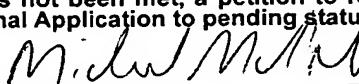
IAP7 Rec'd PCT/PTO 19 JUL 2006

FORM PTO-1390 (Modified)  
U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE  
(REV 12-2004)

<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371</b>		ATTORNEY'S DOCKET NUMBER <b>059314-0701</b> (As Amended) (prev. 039386-2252) U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5) <b>10/525,743</b>
INTERNATIONAL APPLICATION NO. <b>PCT/US03/26988</b>	INTERNATIONAL FILING DATE <b>8/26/2003</b>	PRIORITY DATE CLAIMED <b>8/30/2002</b>
TITLE OF INVENTION <b>IMMUNE RESPONSE ASSOCIATED PROTEINS</b>		
APPLICANT(S) FOR DO/EO/US <b>Vicki ELLIOTT</b>		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
1. <input type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.		
2. <input checked="" type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.		
3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.		
4. <input type="checkbox"/> The US has been elected (Article 31).		
5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). <input type="checkbox"/> has been communicated by the International Bureau. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US)		
6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). <input type="checkbox"/> is attached hereto. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).		
7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <input type="checkbox"/> are attached hereto (required only if not transmitted by the International Bureau). <input type="checkbox"/> have been communicated by the International Bureau. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. <input type="checkbox"/> have not been made and will not be made.		
8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).		
9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).		
10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).		
Items 11 to 20 below concern other document(s) or information included:		
11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.		
12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.		
13. <input type="checkbox"/> A preliminary amendment.		
14. <input checked="" type="checkbox"/> Supplemental Application Data Sheet under 37 CFR 1.76.		
15. <input type="checkbox"/> A substitute specification.		
16. <input type="checkbox"/> A power of attorney and/or change of address letter.		
17. <input checked="" type="checkbox"/> Computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 – 1.825		
18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).		
19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).		
20. <input checked="" type="checkbox"/> Other items or information: Response to Notification of Defective Response (1 pg.); Return Copy of Notification of Defective Response (7 pgs.); Statement to Support Filing and Submission in Accordance with 37 CFR 1.821-1.825 (1 pg.).		

FORM PTO-1390 (Modified)

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U.S. APPLICATION NO. (If known, see 37 CFR. 1.5) 10/525,743	INTERNATIONAL APPLICATION NO. PCT/US03/26988	ATTORNEY'S DOCKET NUMBER 059314-0701 (As Amended)	
The following fees have been submitted:			
21. <input type="checkbox"/> Basic national fee		\$300	
22. <input type="checkbox"/> Examination fee If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4)		\$100 \$200	
All other situations			
23. <input type="checkbox"/> Search fee Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority		\$100	
International Search Report prepared and provided to the Office		\$400	
All other situations		\$500	
<b>TOTAL OF ABOVE 21, 22 and 23 =</b>			
<input checked="" type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$ for each additional 50 sheets of paper or fraction thereof.			
Total Sheets	Extra sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE
157 - 100 =	57 /50 =	2	x \$250.00
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e))			\$ 0.00
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE
Total Claims	0 - 20 =	0	x \$ 50.00
Independent Claims	0 - 3 =	0	x \$ 200.00
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$ 360.00
<b>TOTAL OF ABOVE CALCULATIONS =</b>			\$ 500.00
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by ½.			+ \$ 0.00
			<b>SUBTOTAL =</b> \$ 500.00
Processing fee of 130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).			\$
			<b>TOTAL NATIONAL FEE =</b> \$ 500.00
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). 40.00 per property			\$
KAYPAGH 00000075 10525743			<b>TOTAL FEES ENCLOSED =</b> \$ 500.00
500.00 0P			<b>Amount to be refunded:</b> _____ <b>charged:</b> _____
<p>a. <input type="checkbox"/> A check in the amount of \$500.00 to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. <u>19-0741</u> in the amount of \$500.00 to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>19-0741</u>. A duplicate copy of this sheet is enclosed.</p> <p>d. <input checked="" type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p>			
NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.			
SEND ALL CORRESPONDENCE TO:			
Foley & Lardner LLP Customer Number: 22428			
Date: July 19, 2006			
 <b>SIGNATURE</b> Michele M. Simkin			
<b>NAME</b> 34,717			
<b>REGISTRATION NUMBER</b>			

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Vicki S. ELLIOTT

Title: IMMUNE RESPONSE ASSOCIATED  
PROTEINS

Appl. No.: 10/525,743

Filing Date: 09/27/2005

Examiner: Unassigned

Art Unit: Unassigned

Confirmation No.: 2042

TRANSMITTAL OF RESPONSE TO  
NOTIFICATION OF DEFECTIVE RESPONSE

Mail Stop Missing Parts  
Commissioner for Patents  
PO Box 1450  
Alexandria, Virginia 22313-1450

Sir:

Enclosed for filing herewith in response to the Notification of Defective Response mailed June 19, 2006, applicants submit the following:

- Return Copy of Notification of Defective Response (including error pages) (7 pages);
- Statement to Support Filing and Submission in Accordance with 37 CFR 1.821-1.825 (1 page);
- 1 Computer readable format of Sequence Listing; and
- Paper copy of Sequence Listing ( 2 pages).

Respectfully submitted,

By Michele M. Simkin

Date: July 19, 2006

FOLEY & LARDNER LLP  
Customer Number: 22428  
PATENT TRADEMARK OFFICE  
Telephone: (202) 672-5538  
Facsimile: (202) 672-5399

Michele M. Simkin  
Attorney for Applicants  
Registration No. 34,717



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/525,743	Vicki S Elliott	059314-0701 039386-2252
INTERNATIONAL APPLICATION NO.		
PCT/US03/26988		
I.A. FILING DATE	PRIORITY DATE	
08/26/2003	09/03/2002	

22428  
 FOLEY AND LARDNER LLP  
 SUITE 500  
 3000 K STREET NW  
 WASHINGTON, DC 20007

CONFIRMATION NO. 2042

371 FORMALITIES LETTER



\*OC000000019318197\*

Date Mailed: 06/19/2006

### NOTIFICATION OF DEFECTIVE RESPONSE

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495)

- Priority Document
- Copy of the International Application filed on 02/28/2005
- Copy of the International Search Report filed on 02/28/2005
- Preliminary Amendments filed on 02/28/2005
- Information Disclosure Statements filed on 09/27/2005
- Biochemical Sequence Diskette filed on 09/27/2005
- Oath or Declaration filed on 09/27/2005
- U.S. Basic National Fees filed on 02/28/2005
- Substitute Specification filed on 02/28/2005
- Priority Documents filed on 02/28/2005
- Specification filed on 02/28/2005
- Claims filed on 02/28/2005
- Abstracts filed on 02/28/2005
- Paper nucleotide sequence listings filed on 02/28/2005

Applicant's response filed 09/27/2005 is hereby acknowledged. The following requirements set forth in the NOTIFICATION OF MISSING REQUIREMENTS mailed 08/11/2005 have not been completed.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is \$500 for a Large Entity:

- This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at

- 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment specifically directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.
- This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 CFR 1.821(c) Applicant must provide an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment specifically directing its entry into the application and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 CFR 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing." Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d).

**Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended under 37 CFR 1.136(a).**

- The fee for submitting a specification and drawing containing more than 100 pages has not been paid in full. Applicant owes \$500 for 57 pages in excess of 150 pages for a large entity.

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

**For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:**

- For Rules Interpretation, call (571) 272-0951
- For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patentin Software Program Help @ [ebc@uspto.gov](mailto:ebc@uspto.gov)

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice MUST be returned with the response.*

VONDA M WALLACE

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Telephone: (703) 308-9140 EXT 225

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/525,743	PCT/US03/26988	039386-2252

FORM PCT/DO/EO/916 (371 Formalities Notice)